

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Conditional Major
AIR QUALITY PERMIT

Permittee Name: Actaris U.S. Gas Incorporated
Mailing Address: 970 Highway 127 North, Owenton, Kentucky 40359

Source Name: Actaris U.S. Gas Incorporated
Mailing Address: Same as above

Source Location: 970 Highway 127 North Owenton, Kentucky 40359
UTM: 4268.5N, 688.5E

Permit Number: F-01-002 (Revision 1)
Log Number: 53950 (Original), 54273 (Revision 1)
Review Type: Conditional Major for VOC and HAPs
KYEIS ID #: 21-187-00005
SIC Code: 3824

Regional Office: Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, KY 41042

County: Owen

Application

Complete Date: July 16, 2001 (Original)
May 2, 2002 (Revision 1)

Issuance Date: October 8, 2001
Revision Date: May 7, 2002
Expiration Date: October 8, 2006

John S. Lyons, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

EP01 Seven diaphragm molding units, curing, and RTV primer and sealant application

Processes performed at this emission point are part of the manufacturing process for gas meters. Molding, curing, and RTV primer and sealant application are vented to a carbon adsorber for control of odors and VOC emissions.

EP01 construction commenced: May 1989.

APPLICABLE REGULATIONS:

Regulation **401 KAR 53:010**, Ambient air quality standard, applies since odor problems may be associated with operation of this emission unit.

Operating Limitations:

401 KAR 53:010

The following limits shall apply to assure compliance with Emission Limitation #1.

1. Emissions shall be controlled by carbon adsorber filters and the division may require specialty carbon if odors warrant.
2. Carbon adsorber filters shall be replaced monthly unless pressure gages indicate that the filters need to be replaced earlier.

Note: The permittee shall establish a measurement that indicates a need for filter replacement. If the division finds that filters need to be replaced sooner, the division may establish a lower measurement for filter replacement.

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Emission Limitations:

401 KAR 53:010

1. Emissions shall not cause any volume of ambient air to have a detectable odor when mixed with 7 equal volumes of odorless air.

Compliance Demonstration Method:

If deemed necessary, the Cabinet shall require testing in accordance with methods prescribed by the cabinet. Otherwise, compliance with Operating Limitations #1 and #2 has been assumed to demonstrate compliance.

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Testing Requirements:

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulation 401 KAR 50:045 Section 4.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Specific Monitoring Requirements:

401 KAR 53:010

The following is required as part of compliance demonstration for Operating Limitation #2.

1. Pressure drop across carbon filters shall be monitored daily.

Specific Record Keeping Requirements:

401 KAR 53:010

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. All observations resulting from compliance with Specific Monitoring Requirement #1 shall be recorded.
2. The date of each carbon adsorber filter replacement shall be recorded.
3. Minimum pressure drop indicating a need for filter replacement shall be recorded.

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Specific Reporting Requirements:

401 KAR 53:010

As part of compliance demonstration for Emission Limitation #1, the permittee shall report dates when filters are replaced and the highest pressure drop observed for each filter as specified in Section F.5. See Section F.6, F.7, and F.8 for additional reporting requirements.

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP02 Paint Booth for application of primer and topcoat

EP02 is a Columbus Industries (Model 2020 HCSIIMM) open faced paint booth with an overhead conveyer system that enters the booth through the open front face of the booth and exists through a hole in the side of the booth.

The booth has a design air flow rate of 9,650 scfm.

Expanded paper/polyester filters are utilized and have been assumed to capture 96% of the particulate emissions.

The booth has 1 Binks air spray gun (or equivalent) with a rated capacity of 5 gal/hr.

Transfer efficiency has been assumed to be 25%.

Construction commenced: 2000.

APPLICABLE REGULATIONS:

Regulation **401 KAR 59:010**, New process operations applicable to each affected facility associated with a process operation which is not subject to another emission standard with respect to particulates in Chapter 59 of 401 KAR commenced on or after July 2, 1975.

Operating Limitations :

401 KAR 59:010

The following limits shall apply to assure compliance with Emission Limitations #1 and #2.

1. The booth shall be operated and maintained in accordance with the manufacturer's recommendations unless otherwise allowed in this permit.
2. At all times when painting, all filters shall be in place and shall be replaced when determined to be inefficient (as determined through visual inspection).

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Emission Limitations :

401 KAR 59:010

1. Section 3(1) limits visible emissions to less than 20% opacity.
2. Section 3(2) limits emissions of particulate matter to a maximum of 2.34 lbs/hr.

Compliance Demonstration Method:

If deemed necessary, the Cabinet shall require testing in accordance with 40 CFR 60 Appendix A, Methods 9 and 5, respectively.

Given the description provided for this emission point, compliance with Operating Limitations #1 and #2 demonstrates compliance with the above emission limitations unless testing is required.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Limitations (Continued):

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Testing Requirements:

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

Specific Monitoring Requirements:

401 KAR 59:010

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Filters shall be monitored daily before the unit is operated (when painting is performed) to demonstrate compliance with Operating Limitation #2.

Specific Record Keeping Requirements:

401 KAR 59:010

The following is required as part of compliance demonstration for Emission Limitations #1 and #2.

1. Date and results of filter inspections shall be recorded when monitored.
2. All maintenance that affects proper operation shall be recorded and include date and reason.

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Specific Reporting Requirements:

As part of compliance demonstration for Emission Limitations #1 and #2, the permittee shall submit summary reports of filter replacement, maintenance, and deviations from permit requirements as specified in Section F.5. See Section F.6, F.7, and F.8 for additional reporting requirements.

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP03 Gluing

Gluing is performed as part of the gas meter manufacturing process. This is performed to prevent leaks and fasten valve seats on all meters. This is also done to seal specified case screws and threaded joints.

Emissions from gluing are uncontrolled.

EP03 construction commenced: 1982.

APPLICABLE REGULATIONS:

None

Operating Limitations :

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Emission Limitations :

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Testing Requirements:

N/A

Specific Monitoring Requirements:

N/A

Specific Record Keeping Requirements:

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Specific Reporting Requirements:

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP04 Solvent use

Solvent is in paint clean-up, glue clean-up, and as needed for processes associated with gas meter manufacturing.

Emissions from solvent use are uncontrolled.

EP04 construction commenced: January 1993.

APPLICABLE REGULATIONS:

None

Operating Limitations :

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Emission Limitations :

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Testing Requirements:

N/A

Specific Monitoring Requirements:

N/A

Specific Record Keeping Requirements:

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

Specific Reporting Requirements:

Conditional Major Limit on VOC

See Section D.

Conditional Major Limit on HAPs

See Section D.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

	<u>Description</u>	<u>Generally Applicable Regulation</u>
1.	Spray can painting inside production area	401 KAR 59:010
2.	Pyrolysis furnace manufactured by Armature Coil Equipment, Inc. Commenced in 1999.	401 KAR 59:010
3.	Powder coating applicator and heating Commenced in 1998 and modified in 1999.	401 KAR 59:010
4.	5 stage parts washer manufactured by Cincinnati Industrial Machinery (also called phosphate pretreater) An old unit was replace by this unit in 1999.	401 KAR 59:010
5.	External leak testing on gas meters (testing unit is manufactured by Future Technologies, Inc.) Commenced in 2001.	None
6.	Fume hood	None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

Conditional Major Limits have been voluntarily accepted to avoid major source status. Additionally, EP02 has accepted the conditional major HAP limits to preclude applicability of 40 CFR 63 Subpart B, Requirements for control technology determinations for major sources in accordance with Clean Air Act section 112(g) and (j). Exceedance of a major source emission level, defined in 401 KAR 52:001, will trigger additional requirements.

Emission Limitations:**Plantwide VOC conditional major limitation**

1. For any 12 consecutive month period, plantwide VOC emissions shall be **< or = to** 90 tons (demonstrated monthly).

Plantwide individual HAP conditional major limitation

2. For any 12 consecutive month period, plantwide individual HAP emissions shall be **< or = to** 9.5 tons as demonstrated on a monthly basis.

Plantwide combined HAPs conditional major limitation

3. For any 12 consecutive month period, plantwide combined HAP emissions shall be **< or = to** 22.5 tons as demonstrated on a monthly basis.

Compliance Demonstration Method:

Compliance can be demonstrated through use of division approved control efficiencies, emission factors, and test results.

For VOC emissions

$$\begin{aligned} \text{VOC emitted (lbs)} = & S [\text{VOC emissions from propane combustion}] \\ & + S [\text{VOC emissions from diaphragm molding and curing}] \\ & + S [\text{VOC emissions from RTV primer and sealant application}] \\ & + S [\text{VOC emissions from gluing}] \\ & + S [\text{VOC emissions from painting}] \\ & + S [\text{VOC emissions from cleaning solvents}] \end{aligned}$$

Substitution into the VOC equation will result in the following equation.

$$\begin{aligned} \text{VOC emitted (lbs)} = & \text{ft}^3 \text{ of propane burned by the permittee} \times \text{propane VOC emission factor} \\ & + \text{lbs of raw material processed in diaphragm molding and curing} \\ & \times \text{molding and curing VOC emission factor} \times (1 - \text{adsorber VOC control efficiency}) \\ & + \text{lbs of VOC in RTV primer and sealant used} \times (1 - \text{adsorber VOC control efficiency}) \\ & + \text{lbs of VOC in glue used} + \text{lbs of VOC utilized in painting (including spray cans and thinners)} \\ & + \text{lbs of VOC in cleaning solvents used} \end{aligned}$$

All emission factors and control efficiencies may be tested (in accordance with Division for Air Quality policy) to obtain values but absent test results or revised EPA emission factors, the following emission factors shall be used to demonstrate compliance.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)**Emission Limitations (Continued):****Compliance Demonstration Method (Continued):**

Propane VOC emission factor	=	5.5 lbs of VOC/10 ⁶ ft ³ of propane fired
Molding and curing VOC emission factor	=	0.00221 lbs of VOC / lb of raw material processed
Adsorber VOC control efficiency	=	Assumed to be 0.40 for molding and curing emissions and 0.90 for RTV primer and sealant emissions based on the manufacturer's technical bulletin

For **individual HAP** emissions

$$\begin{aligned} & \text{Individual HAP emitted (lbs) =} \\ & S [\text{Individual HAP emitted from RTV primer and sealant application}] \\ & + S [\text{Individual HAP emitted from gluing}] \\ & + S [\text{Individual HAP emitted from paint application (including spray cans and thinners)}] \\ & + S [\text{Individual HAP emitted from cleaning solvents}] \end{aligned}$$

Substitution into the individual HAP equation will result in the following equation.

$$\begin{aligned} \text{Individual HAP (lbs) = lbs of individual HAP in RTV primer and sealant used} \\ \times (1 - \text{adsorber VOC control efficiency}) + \text{lbs of individual HAP in glue used} \\ + \text{lbs of individual HAP utilized in painting (including spray cans and thinners)} \\ + \text{lbs of individual HAP in cleaning solvents used} \end{aligned}$$

See above for adsorber VOC control efficiency.

For **combined HAP** emissions

$$\begin{aligned} \text{Combined HAPs emitted (lbs) = } S [\text{lbs of individual HAP emitted}] \\ + \text{lbs of raw material processed in diaphragm molding and curing} \\ \times \text{molding and curing combined HAP emission factor} \times (1 - \text{adsorber VOC control efficiency}) \end{aligned}$$

See above for adsorber VOC control efficiency.

Molding and curing combined HAP emission factor	=	0.00138 lbs of HAPs / lb of raw material processed
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Operating Limitations:

The following are required to make the above emission limits enforceable as a practical matter.

Plantwide VOC conditional major limitation

1. Raw material use shall be such that VOC emitted, calculated using the above compliance demonstration method for Emission Limitation #1, from the source during any 12 consecutive month period is **< or = to** 180,000 lbs (demonstrated monthly).

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)**Operating Limitations (Continued):****Plantwide individual HAP conditional major limitation**

2. Raw material use shall be such that each HAP emitted, calculated using the above compliance demonstration method for Emission Limitation #2, from the source during any 12 consecutive month period is **< or = to** 19,000 lbs (demonstrated monthly).

Plantwide combined HAPs conditional major limitation

3. Raw material use shall be such that the combined sum of all HAPs emitted, calculated using the above compliance demonstration method for Emission Limitation #3, from the source during any 12 consecutive month period is **< or = to** 45,000 lbs (demonstrated monthly).

Testing Requirements:

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulation 401 KAR 50:045 Section 4 to demonstrate continued compliance.

Monitoring Requirements:

N/A

Specific Record Keeping Requirements:

Plantwide conditional major limitations require the following to be recorded. When options are allowed, weight percentage shall be recorded with lbs of the material and content shall be recorded with gallons of the material.

1. Ft³ of propane burned shall be recorded for each month.
2. Lbs of raw material processed in diaphragm molding and curing shall be recorded for each month.
3. Lbs or gallons of RTV primer applied shall be recorded for each month.
4. Depending on recording of lbs or gallons, the VOC percentage (by weight) and individual HAP percentage (by weight) or VOC content (in lbs/gal) and individual HAP content (in lbs/gal) of the RTV primer applied shall be recorded.
5. Lbs or gallons of RTV sealant applied shall be recorded for each month.
6. Depending on recording of lbs or gallons, the VOC percentage (by weight) and individual HAP percentage (by weight) or VOC content (in lbs/gal) and individual HAP content (in lbs/gal) of the RTV sealant applied shall be recorded.
7. Lbs or gallons of each glue applied shall be recorded for each month.
8. Depending on recording of lbs or gallons, the VOC percentage (by weight) and individual HAP percentage (by weight) or VOC content (in lbs/gal) and individual HAP content (in lbs/gal) of each glue applied shall be recorded.
9. Lbs or gallons of each cleaning solvent used shall be recorded for each month.
10. Depending on recording of lbs or gallons, the VOC percentage (by weight) and individual HAP percentage (by weight) or VOC content (in lbs/gal) and individual HAP content (in lbs/gal) for each cleaning solvent shall be recorded.
11. Lbs or gallons of each paint applied (including paint delivered by spray cans) shall be recorded for each month.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)**Specific Record Keeping Requirements (Continued):****Plantwide conditional major limitations**

12. Depending on recording of lbs or gallons, the VOC percentage (by weight) and individual HAP percentage (by weight) or VOC content (in lbs/gal) and individual HAP content (in lbs/gal) of each paint applied shall be recorded.
13. Lbs or gallons of each thinner mixed into paints applied shall be recorded for each month.
14. Depending on recording of lbs or gallons, the VOC percentage (by weight) and individual HAP percentage (by weight) or VOC content (in lbs/gal) and individual HAP content (in lbs/gal) of each thinner utilized shall be recorded.
15. The amount of VOC emitted each month, calculated using the compliance demonstration method for Emission Limitation #1, shall be recorded.
16. The total VOC emitted for each 12 consecutive month period shall be recorded.
17. The amount of each HAP emitted each month, calculated using the compliance demonstration method for Emission Limitation #2, shall be recorded.
18. The total of each HAP emitted for each 12 consecutive month period shall be recorded.
19. The amount of combined HAPs emitted each month, calculated using the compliance demonstration method for Emission Limitation #3, shall be recorded.
20. The total combined HAPs emitted for each 12 consecutive month period shall be recorded.

Specific Reporting Requirements:

Plantwide conditional major limitations require the following to be reported semiannually. These reports shall be certified by a responsible official, and delivered by electronic media (such as fax or e-mail) or postmarked to the Division's Florence Regional Office by January 30th and July 30th of each year. These reports may also be delivered by courier as long as the reports are stamped received as indicated above. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate, and complete.

1. Any deviations from requirements in this section during the period shall be reported.
2. The VOC emission calculation for each month in the semiannual period shall be reported.
3. The total VOC emission for each 12-month period ending in the semiannual period shall be reported.
4. The individual HAP emission calculations for each month in the semiannual period shall be reported.
5. The total amount of each individual HAP emitted for each 12-month period ending in the semiannual period shall be reported.
6. The combined HAP emission calculation for each month in the semiannual period shall be reported.
7. The total amount of combined HAPs emitted for each 12-month period ending in the semiannual period shall be reported.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:030 Section 10, records of all required monitoring data, support information (including calibrations, maintenance records, and original strip chart recordings), and reports required by the Division for Air Quality shall be retained by the permittee for a period of five years. In accordance with Section 1a (7) of the materials incorporated by reference in 401 KAR 52:030 Section 10 and 401 KAR 52:030 Section 3(1)(f)1a, these records shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.
3. In accordance with the requirements of Regulation 401 KAR 52:030 Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Access and copy any records required by this permit, enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation; and
 - b. Sample or monitor substances or parameters that affect compliance with the permit or any applicable requirements.Reasonable times include all hours of operation, normal office hours, and during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. Reports for emission units that are still under construction or emission units that have not commenced operation at the end of the period shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. All monitoring summary reports shall:
 - a. Be certified by a responsible official pursuant to 401 KAR 52:030 Section 22,
 - b. Clearly identify all deviations from permit requirements, and
 - c. Be submitted prior to January 30th and July 30th of each year.
7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. Pursuant to Section 1b V(3) and (4) of the material incorporated by reference in 401 KAR 52:030 Section 10, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within [30 days](#). Other deviations from permit requirements shall [be included in the semiannual report required by Section F.5](#).
9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Regional Office listed on the front of this permit and the Division's Central Files in accordance with the following requirements:
 - a. Identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status regarding each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent; and
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the year covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality
[Florence Regional Office](#)
[8020 Veterans Memorial Drive, Suite 110](#)
[Florence, KY 41042](#)

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

10. In accordance with Regulation 401 KAR 52:030, Section 3(1)(d), the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee. If a KEIS emission report is not mailed to the permittee, comply with all other emission reporting requirements in this permit.
11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.
12. The cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
 - a. The owner or operator shall submit to the cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - i. The size and location of both the original and replacement units; and
 - ii. Any resulting change in emissions;
 - b. The PTE of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements;
 - e. The source shall notify the Regional Office listed on the front of this permit of all shutdowns and start-ups; and
 - f. Within six (6) months after installation of the replacement unit, the owner or operator shall:
 - i. Re-install the original unit and dismantle the temporary replacement unit; or
 - ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit. [Section 1a (2) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
2. Notification by the permittee of a planned change or anticipated noncompliance, or filing of a request for any permit revision, reissuance, or rescission shall not stay any permit condition. [Section 1a (5) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
3. Pursuant to Section 1a (2) of the materials incorporated by reference in 401 KAR 52:030 Section 10, 401 KAR 52:030 Section 7(3), and 401 KAR 50:060 Section 2, this permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 52:030 Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish upon request information requested by the division to determine compliance with the permit or to determine if cause exists for modifying, revoking and reissuing, or terminating the permit. [Sections 1a (6) and (7) of the materials incorporated by reference in 401 KAR 52:030 Section 10]

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority. [401 KAR 52:030 Section 7(1)]
6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Section 1a (11) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Section 1a (3) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Section 1a (12)(b) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6). [Section 1a (9) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:030 Section 11(3)]
11. This permit does not convey property rights or exclusive privileges. [Section 1a (8) of the materials incorporated by reference in 401 KAR 52:030 Section 10]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
15. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - (a) Applicable requirements included and specifically identified in this permit; and
 - (b) Non-applicable requirements expressly identified in this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the division. [401 KAR 52:030 Section 3(1)(c)]
17. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:030 Section 8(2)]
18. All previously issued construction and operating permits are hereby subsumed into this permit.

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:030 Section 12]

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements
N/A

SECTION G - GENERAL PROVISIONS (CONTINUED)

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within ten (10) working days of the time when emission limitations were exceeded due to the emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:030 Section 23(3)]
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:030 Section 23(2)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
2. If requested, submit additional relevant information by the division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A